THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.NO.10364 of 2006

Dated:25-05-2005

Between:

Anita Rose.

..Petitioner

and

The District Collector, East Godavari District, Kakinada and others.

..Respondents.

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.NO.10364 of 2006

ORDER:

The petitioner states that she made a representation dated 20-04-2006 to the

respondents 1 and 2 with a prayer to provide an alternative site in the open place abutting the office of the Mandal Revenue Officer to the extent her property is affected in the widening of the road. Her grievance is that without taking any action thereon, the respondents are proceeding to widen the road affecting her property. She cites the instances of allotment of alternative land to drivers' association.

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration and the learned standing counsel for the second respondent.

In case the respondents require any portion of the property held by the petitioner, they are under obligation to pay compensation either under the Land acquisition Act, 1894 or through negotiation of the settlement. In case adequate open land is available with the respondents, they can also consider the feasibility of providing alternative site. The petitioner, however, cannot claim such land as of right. The circumstances under which the respondents are said to have allotted land to drivers' association are not before this Court.

Hence, the Writ Petition is disposed of directing the respondents 1 and 2 to consider the feasibility of allotting compensatory land, if it is otherwise available, to the extent the property of the petitioner is affected in the widening of the road.

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L. NARASIMHA REDDY, J

25th May, 2006.

Note:

Issue CC by two days.

(Bo)

sj/ks